

### **REMARKS**

Claim 57 is pending and has been amended. Dependent Claims 61-65 have been added. No new matter has been added. Reconsideration of the claims is respectfully requested.

#### **Information Disclosure Statement (IDS)**

The Applicants are submitting a Second IDS. The Applicants respectfully request that the Examiner review the references and make them of record.

#### **Double Patenting Rejection**

Claim 57 was rejected under 35 U.S.C. § 101 as claiming the same invention as claim 12 of U.S. Patent No. 6,676,012, which apparently appear in the Office Action as a statutory double-patenting rejection. This is improper.

Claim 57 of the present invention and claim 12 of U.S. Patent No. 6,676,012 are shown below.

57. A method of forming from a one-piece blank a container having at least two compartments and comprising at least six side panels and at least two bottom panels separated by a transverse rib extending to the top of said side panels, two of said side panels being longer than their respective container sides, two of said side panels being the same length as their respective container sides, said transverse rib having a panel foldably attached to one end of each face thereof, the method comprising the acts of:

(a) forming said transverse rib by folding said blank along a first fold line extending across said blank and defining the top of said blank at a 90° angle along two fold lines parallel to said first fold line and defining the bottom edges of said transverse rib;

(b) securing together the two sides of said transverse rib formed in (a);

(c) forming said side panels by folding said side panels at a 90° angle from said folded blank of (b) and defining said two compartments in combination with said transverse rib;

(d) securing said two longer side panels to their adjacent side panels;

(e) folding said foldably attached panels at one end of each face of said transverse rib and securing each of said foldably attached panels to a side panel adjacent the opposite face of said transverse rib; and

(f) reinforcing the corners of said container where two of said side panels meet by folding at least once a tab at each corner of said blank to form a reinforcing panel and securing said panel to an adjacent side wall.

12. A method of forming from a one-piece blank a container having at least two compartments and comprising at least six side panels and at least two bottom panels separated by at least one transverse rib having first and second ends and at least two vertical ribs, said ribs being disposed into an interior of said container at approximately 90° angles from respective ones of said bottom panel and side panels, said method comprising:

forming said at least one transverse rib by folding said blank along three generally parallel transverse rib fold lines, a middle one of said fold lines becoming an innermost edge of said transverse rib;

forming each of said at least two vertical ribs by folding said blank along at least two sets of three generally parallel vertical rib fold lines, middle ones of said sets of vertical rib fold lines becoming innermost edges of said vertical ribs;

forming said side walls by folding side wall panels at approximately a 90° angle from said bottom panels;

reinforcing at least one corner of said container where two of said side panels meet by folding at least once a tab at said at least one corner to form a reinforcing panel and securing said panel to an adjacent one of said two side panels; and engaging outsides of the ends of said transverse rib with said at least two vertical ribs.

As shown above, claim 57 of the present invention and claim 12 of U.S. Patent No. 6,676,012 (“’012 patent”) have several different limitations. For example, claim 57 recites “a transverse rib extending to the top of said side panels” and “two of said side panels being longer than their respective container sides.” Claim 12 of the ‘012 patent does not include such limitations. Claim 12 recites several limitations that include a vertical rib fold line. The term “vertical rib fold line” is not recited in claim 57 of the present invention. There are other limitations that are present in either claim 57 of the present invention or claim 12 of the ‘012 patent, but not the other.

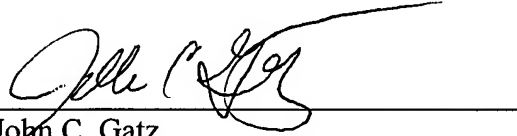
Therefore, the double-patenting rejection applied to claim 57 of the present invention should be withdrawn. Thus, claim 57 and its dependent claims 61-65 should be in a condition for allowance.

**Conclusion**

The Applicants submit that the claims are in a condition for allowance and action toward that end is earnestly solicited. It is believed that no fees are due; however, should any additional fees be required (except for payment of the issue fee), the Commissioner is authorized to deduct the fees from Jenkins & Gilchrist, P.C. Deposit Account No. 10-0447, Order No. 47088-00025USC1.

September 6, 2005  
Date

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "John C. Gatz", is written over a horizontal line.

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